

UNITED STATES DISTRICT COURT

DISTRICT OF SOUTH DAKOTA

SOUTHERN DIVISION

JUAN ENRIQUE BARRON MONTOYA,  Plaintiff,  vs.  UNITED STATES OF AMERICA,  Defendant.	4:16-CV-04088-KES  ORDER LIFTING STAY AND DIRECTING SERVICE AND RESPONSE
--	--

On April 12, 2017, this court granted plaintiff's motion to stay his case pending the Supreme Court's decision in *Lynch v. Dimaya*. Dockets 10, 11. The Supreme Court issued its opinion in *Dimaya* on April 17, 2018. *Sessions v. Dimaya*, 138 S. Ct. 1204 (2018). Thus, it is

ORDERED that the stay is lifted.

IT IS FURTHER ORDERED that the United States Attorney for the District of South Dakota will serve and file an answer or responsive pleading to plaintiff's petition, together with a legal brief or memorandum in support thereof, on or before **August 23, 2018**.

Dated July 24, 2018.

BY THE COURT:

/s/ Karen E. Schreier

KAREN E. SCHREIER  
UNITED STATES DISTRICT JUDGE